

**BEFORE THE STATE BOARD OF MEDIATION  
STATE OF MISSOURI**

MISCELLANEOUS DRIVERS, HELPERS,	)	
AND PUBLIC EMPLOYEES UNION, LOCAL	)	
NO. 610,	)	
	)	
Petitioner,	)	
	)	
vs.	)	Public Case No. 81-026
	)	81-035
ST. LOUIS COUNTY SPECIAL SCHOOL	)	81-037
DISTRICT, ST. LOUIS, MISSOURI,	)	81-039
	)	
Respondent.	)	

**JURISDICTIONAL STATEMENT**

These cases appear before the State Board of Mediation upon the Miscellaneous Drivers, Helpers, and Public Employees Union, Local 610, filing petitions as public employee representative of certain employees of the St. Louis County Special School District. On January 27, 1982 a hearing was held in Clayton, Missouri, at which legal council representing both Miscellaneous Drivers, Helpers, and Public Employees Union, Local 610 and the St. Louis County Special School District were present. The case was heard by State Board of Mediation Chairman Mary Gant, Employer Member Herbert Shaw, and Employee Member Joseph Cointon. The State Board of Mediation is authorized to hear and decide issues concerning appropriate bargaining unit determinations by virtue of Section 105.525, RSMo 1978.

At the hearing the parties were given full opportunity to present evidence. The parties did not order transcripts of the hearing. The Board, after careful review of the uncontradicted evidence, sets for the following Findings of Fact and Conclusions of Law.

## **FINDINGS OF FACT**

### **A. Public Case No. 81-026**

#### **Transportation Mechanics**

The Respondent, St. Louis County Special School District, operates three garages for the maintenance of the motor vehicles used by the Respondent. As a part of its garage operations the Respondent employs approximately twenty-two (22) persons as transportation mechanics.

The duties of the transportation mechanics employed by the Respondent do not vary to any great degree. Each must have a general working knowledge as a skilled mechanic which will enable him to perform tasks necessary to the maintenance of the Respondent's vehicles. These duties include a full range of skills including major and minor engine repair, body repair, winterization of vehicles and general maintenance.

Transportation mechanics employed by the Respondent work a regular shift which is common to all such employees and are not assigned to work other than that of maintaining and repairing the Respondent's motor vehicles. While the transportation mechanics are generally assigned to one of the Respondent's three garages, working conditions vary little other than most major repairs being performed at the "Central" garage.

There are at present no classifications among the transportation mechanics employed by the Respondent.

### **B. Public Case No. 81-035**

#### **Maintenance Employees**

The Respondent, St. Louis County Special School District, as part of its service to the District owns a number of schools and support buildings. To provide for the

general upkeep of the physical plant the Respondent employs approximately eighteen (18) persons for that purpose. These employees are designated employees.

Maintenance employees are dispatched generally from a central office under a work order system. All maintenance employees report at approximately 8:00 a.m. and work until approximately 4:00 p.m. Each maintenance employee is skilled in a trade such as carpentry, heating and air conditioning or masonry. In emergency situations every maintenance employee is subject to twenty-four (24) hour call should the Respondent require his services. Under no circumstances are maintenance employees ever asked to do any cleaning work and the primary purpose for employing maintenance personnel is to keep the physical plant in good repair. The direct supervisor of the maintenance employees is Mr. Jerry Stevens who does not supervise any other department.

#### C. Public Case No. 81-037

##### Food Service Employees

In the operation of its several schools the Respondent maintains a number of kitchens and cafeterias in which it prepares and serves food to its students and teachers. As a part of this preparation and serving of food the Respondent employs approximately sixty (60) food service employees.

While most of the food service employees work full time some food service employees work twenty (20) hours a week due to the needs of the Respondent, although all of the food service employees are permanent employees.

Food service employees share a common supervisor and are not asked to perform any work other than their assigned duties. The duties of the food service employees include cooking and serving food, menu preparation, cleaning the kitchen and, in the case of the Head Cook, ordering food. Food service employees are

assigned to a cafeteria to which they report unless reassigned by the Respondent. The working hours of all food service employees are generally the same with the exception of the part time employees.

D. Public Case No. 81-039

#### All Custodial Employees

As previously stated Respondent owns a number of school and support buildings. To provide for the cleaning of those buildings the Respondent employs approximately seventy-eight (78) custodial employees.

The duties of a custodial employee include all general cleaning of the buildings of the Respondent. Custodial employees do not do any repair work on the building of the Respondent. Specific duties of a custodial employee include floor mopping, blackboard cleaning, light bulb replacement and the moving of furniture from time to time. Each custodial employee is assigned to a building to which they report. Within the building to which they report, each custodial employee is assigned a specific section in which to work. Custodial employees report to work at widely varying times, some reporting at night. Mr. Charles Bebe is the common supervisor for all custodial employees. Respondent regards a custodial employee as an entry level position.

In regard to all units petitioned for, the members of one unit would never be asked to perform the work of another.

#### **CONCLUSIONS OF LAW**

The Miscellaneous Drivers, Helpers, and Public Employees Union, Local 610, affiliated with the International Brotherhood of Teamsters, Chauffeurs, Warehousemen, and Helpers of America, has petitioned to be certified as public employee representative of four separate units of St. Louis County Special School District employees. The four separate units are: Public Case No. 81-026, consisting of all transportation mechanics;

Public Case No. 81-035, consisting of all maintenance employees; Public Case 81-037, consisting of all food service employees; and Public Case No. 81-039, consisting of all custodial employees. The parties have stipulated as to what employees constitute supervisory personnel, agreeing that employees in the classification of Head Custodian and Head Cook are non-supervisory and therefore shall be included in their respective units. The issue before the Board is whether the four units petitioned for are appropriate.

An appropriate unit is defined by Section 105.500(1), RSMo 1978, as:

"a unit of employees at any plant or installation or in a craft or in a function of a public body which establishes a clear and identifiable community of interest among the employees concerned,"

The Board has adopted a number of factors in determining whether employees have a community of interest. Service Employees International Union, Local No. 96, AFL-CIO, v. City of Blue Springs, Missouri, Public Case No. 79-031 (SBM 1979). The factors applicable here are similar in the skills and training of the employees, and the amount of contact and interchange among the employees. It is clear in these cases that the employees within the units petitioned for do share a clear and identifiable community of interest and should be included in the bargaining units proposed.

Within each unit the type of work performed is either identical or closely related. And finally, the contact and interchange of the employees of each unit with other employees of that unit is sufficient to support a clear and identifiable community of interest.

### **DECISION**

The State Board of Mediation finds that an appropriate unit of employees is as follows:

Public Case No. 81-026

"all transportation mechanics of the St. Louis County Special District; excluding supervisors and all other employees of the Special School District."

Public Case No. 81-035

"all maintenance employees of the St. Louis County Special School District; excluding supervisors and all other employees of the Special School District."

Public Case No. 81-037

"all food service employees of the St. Louis Special School District; including head cooks but excluding supervisors and all other employees of the Special School District."

Public Case No. 81-039

"all custodial employees of the St. Louis County Special School District; including head custodians but excluding supervisors and all other employees of the Special School District."

**DIRECTION OF ELECTION**

Elections by secret ballot shall be conducted by the Chairman of the State Board of Mediation, or a designated agent thereof, among the employees in the units found appropriate, as early as possible, but no later than sixty (60) days from the date below. The exact time and place will be set forth in the Notice of Election to be issued subsequently, subject to the Board's Rules and Regulations. Eligible to vote are those in the units who were employed during the payroll period immediately proceeding the date below, including employees who did not work during that period because of vacation or illness. Ineligible to vote are those employees who quit or were discharged for cause since the designated payroll period and who have not been rehired or reinstated before the election date. Those eligible to vote shall vote whether or not they

desire to be represented for the purpose of exclusive representation by Petitioner, Miscellaneous Drivers, Helpers, and Public Employees Union, Local No. 610 of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America.

It is hereby ordered that the Respondent shall submit to the Chairman of the State Board of Mediation, as well as to the Petitioner, within fourteen (14) days from the date of receipt of this decision, an alphabetical list of the names and addresses of employees in the units determined to be appropriate who were employed during the designated payroll period.

Signed this 7th day of April, 1982.

STATE BOARD OF MEDIATION

(SEAL)

/s/ Mary L. Gant  
Mary L. Gant, Chairman

/s/ Herbert Shaw  
Herbert Shaw, Employer Member

/s/ Joseph Cointin  
Joseph Cointin, Employee Member